

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHWESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. 19-5054-01-CR-SW-RK

ADAM RAY LEE,

Defendant.

**UNITED STATES' MOTION FOR PRETRIAL DETENTION
PURSUANT TO 18 U.S.C. § 3142(e) and (f)**

The United States of America, through Timothy A. Garrison, United States Attorney for the Western District of Missouri, and by the undersigned Assistant United States Attorney requests pretrial detention pursuant to 18 U.S.C. §§ 3142 (e)(3)(E), (f)(1)(A), (f)(2)(A), and (f)(2)(B). This Court has set a pretrial detention hearing for November 6, 2019, and at this hearing, the evidence will demonstrate that no condition or combination of conditions of release will reasonably assure the defendant's appearance as required by the Court and the safety of other persons and the community.

Supporting Suggestions

1. 18 U.S.C. §§ 3142(f)(1)(A) provides that a hearing must be held by the appropriate judicial officer to determine whether any condition or combination of conditions will reasonably assure the defendant's appearance and the safety of any other person in the community if the attorney for the Government moves for such a hearing and if the case is one that involves an offense involving a minor or a crime of violence as defined in 18 U.S.C. §§ 3156(a)(4)(C), which includes the offenses of sexual exploitation in violation of 18 U.S.C. § 2251(a), coercion and

enticement of a minor in violation of 18 U.S.C. § 2422(b), transportation of a minor across state lines for sexually explicit activity in violation of 18 U.S.C. § 2423(a), and receipt and distribution of child pornography in violation of 18 U.S.C. § 2522(a)(2).

2. The statute recognizes two additional situations which allow for a detention hearing and which can be raised either by the attorney for the Government or by a judicial officer. These conditions are:
 - a. When there is a serious risk that the defendant will flee; or,
 - b. When there is a serious risk that the person will "obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate, a prospective witness or juror." 18 U.S.C. § 3142(f)(2)(A) and (B).
3. One or more grounds for pretrial detention and a pretrial detention hearing as set forth by the statute exists in the above cause, to wit: this matter involves the sexual exploitation of a minor coercion and enticement of a minor, transportation of a minor, and receipt and distribution of child pornography. Further, there is a serious risk that the defendant's release will present a substantial risk to the community.
4. The crimes alleged in the Indictment require the Court to consider a rebuttable presumption that no condition or combination of conditions set forth in 18 U.S.C. § 3142(c) will reasonably assure the appearance of the defendant as required and the safety of other persons and the community. 18 U.S.C. § 3142(e)(3)(E).
5. Moreover, the nature and circumstances of the charged offenses, the weight of the evidence, the defendant's history and characteristics, and the nature and seriousness of the danger to any person or the community that would be posed by the defendant's release, each demonstrate that there is no condition or combination of conditions set forth in 18 U.S.C. § 3142(c) that will reasonably assure the appearance of the defendant as required and the safety of other

persons and the community.

6. The Government is aware of the following evidence:

- a. In relation to the nature and circumstances of the offenses charged, On June 18, 2018, D.T. reported to the Dayton, Kentucky, Police Department (DPD) that his 15-year-old daughter, Jane Doe, was missing. On August 1, 2018, Aurora, Missouri, Police Department (APD) Officer Christopher Kozisek received a request for assistance based upon information law enforcement received that Jane Doe was with the defendant, Adam Ray Lee, a 24-year-old male, who resided in Aurora, Missouri. Officers attempted to contact Lee at his residence, but no one answered the door. On August 2, 2018, at approximately 6:30 a.m., Officer Kozisek and APD Officer Fowler responded to Lee's residence. After knocking on the door, Lee answered. Post-*Miranda*, Lee explained that Jane Doe was with his grandparents in Lawrence County, near Mount Vernon. Lee stated that he took Jane Doe there the previous night after law enforcement had come to his residence. Lee also stated that he and Jane Doe had sexual intercourse once while at his residence, and he used a condom. Lee confirmed that he met Jane Doe on Meetme.com over a year ago. Jane Doe was located at Lee's grandparent's residence and transported to the Child Advocacy Center of Southwest Missouri, where she was interviewed by Cassie Meier. Jane Doe disclosed that Lee picked her up over a month ago from Kentucky and brought her back to Missouri. Jane Doe described various sexual activity that she and Lee engaged in. On the same date, Officer Kozisek obtained a search warrant for Lee's residence, from the Lawrence County Circuit Courts, and officers seized an HP laptop computer. Homeland Security Investigations (HSI) and SMCCTF TFO James Smith concluded a forensic examination of the devices on May 13, 2019. On Lee's HP laptop computer, TFO Smith located multiple

videos and images of Jane Doe, including of Jane Doe nude and close-ups of her vagina. Some of the images of Jane Doe were sent to Lee via the Internet, prior to her arrival in Missouri. TFO James also located 16 folders in Lee's Dropbox. The folders were names of individuals that contained numerous videos and images of child erotica and child pornography.

WHEREFORE, the United States requests a pretrial detention hearing and that Defendant be detained pending trial.

Respectfully submitted,

Timothy A. Garrison
United States Attorney

By /s/ Ami Harshad Miller
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was delivered on November 6, 2019, to the CM-ECF system of the United States District Court for the Western District of Missouri for electronic delivery to all counsel of record.

/s/ Ami Harshad Miller
Ami Harshad Miller
Assistant United States Attorney